

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated January 9, 2008.

Applicant's attorneys appreciate the Examiner's continued thorough search and examination of the present patent application.

Claims 1-18, 21, 22, 27-31 are pending in this application. Claims 6-18 and 27-31 have been withdrawn from consideration. Claims 19-20 and 23-26 have been canceled. Claims 1-5, 21, and 22 have been rejected.

Claims 1-3, 5, 21, and 22 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,993,476 to Groiso ("Groiso"). Reconsideration and withdrawal of this rejection are respectfully requested.

Claims 1 and 21 have been amended. These claims are directed to a removable clip having "engagement legs extending parallel to one another in a first direction." Claim 1 recites a connecting bridge including at least two elongated sections "extending along side one another generally in a second direction substantially perpendicular to the first direction" and "having a non-linear outline having a curved shape forming a non-linear deformable region when viewed in a third direction perpendicular to said first and second directions." Claim 21 recites an elongated section "extending generally in a second direction substantially perpendicular to the first direction and having a non-linear outline having a curved shape forming a non-linear deformable region when viewed in a third direction perpendicular to said first and second directions." The formation of the deformable regions is described in paragraph 0019 of the specification, specifically, at page 5, lines 3-7, as follows:

As seen in the side view of clip 100 in FIG. 1, elongated sections 115a, 115b extend side by side one another along a non-linear trajectory, thereby forming a non-linear deformable region 130, such as a depression 130. Deformable region 130 is provided to facilitate clamping of bone tissue fragments (not shown)...
(Underlining added for emphasis)

As illustrated in the Figures, the deformable region 130 is seen in the same plane in which the engagement legs 105a and 105b are visible, i.e., the side view of the clip. The plane in which only the elongated sections are visible, i.e., the top view of the clip does not illustrate the claimed deformations.

Groiso describes elongated bridge sections 10, 20, 40, 50, 60, and 70 (see Figures 1, 4,

10, 13, 21, and 24). All these elongated bridge sections are shown to be perfectly straight horizontally. Further, as discussed above, the elongated sections of claims 1 and 21 are formed in “a non-linear deformable region when viewed in a third direction perpendicular to said first and second directions”, i.e., the side view of the clip, not as the Examiner suggests from the top or in the second direction, between the elongated bridge sections of Groiso or in the top view of the clip. Thus, Groiso does not teach, describe, or suggest at least “forming a non-linear deformable region when viewed in a third direction perpendicular to said first and second directions” as recited in independent claims 1 and 21.

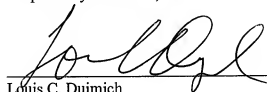
Therefore, Groiso does not anticipate independent claims 1 and 21.

Claims 2-3, 5, and 22 depend directly or indirectly from independent claims 1 and 21 and are, therefore, allowable for the same reasons, as well as because of the combination of features in those claims with the features set forth in the respective independent claims.

In view of the above, it is submitted that all claims in this application are now in condition for allowance, prompt notification of which is requested.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY THROUGH
THE PATENT AND TRADEMARK OFFICE EFS
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Respectfully submitted,



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